

The Honorable James L. Robart

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ZACHARY MADDING,

Defendant.

CASE NO. CR 19-65 JLR

ORDER GRANTING JOINT
MOTION TO CONTINUE TRIAL
AND RELATED DATES

This matter comes before the Court on Defendant Zachary Madding's and the United States' Joint Motion to Continue the Trial Date. Having considered the facts set forth in the motion, and the Defendant's knowing and voluntary waiver, the Court finds as follows:

1. The Court adopts the facts set forth in the stipulated motion; specifically that the government has and will be producing a substantial amount of discovery and that defense counsel needs additional time to review discovery, track down additional evidence, and potentially consult with expert witnesses. The Court accordingly finds that a failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

1 2. The Court finds that a failure to grant a continuance would likely result in a
2 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

3 3. The Court finds that the additional time requested between August 31, 2020,
4 and the proposed trial date of February 8, 2021, is a reasonable period of delay, as defense
5 counsel needs additional time to review discovery, track down additional evidence, and
6 potentially consult with expert witnesses. The Court finds that this additional time is
7 necessary to provide defense counsel reasonable time to prepare for trial, considering all the
8 facts set forth above.

9 4. The Court further finds that this continuance would serve the ends of justice,
10 and that these factors outweigh the best interests of the public and the Defendant in a
11 speedier trial, within the meaning of 18 U.S.C. § 3161(h)(7)(A).

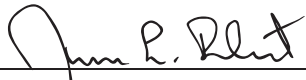
12 5. The Defendant has signed a waiver indicating that he has been advised of his
13 rights to a speedy trial and that, after consulting with counsel, he has knowingly and
14 voluntarily waived those rights and consented to the continuation of his trial date up to and
15 including February 28, 2021, which will permit trial to start on February 8, 2021, per the
16 parties' joint request.

17 IT IS FURTHER ORDERED that the trial date be continued from August 31, 2020, to
18 February 8, 2021.

19 IT IS FURTHER ORDERED that the pretrial motions cutoff date be continued to
20 December 28, 2020.

1 IT IS FURTHER ORDERED that the period of time from the date of this order, up to
2 and including the new trial date of February 8, 2021, shall be excludable time pursuant to
3 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of this
4 motion is excludable for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D),
5 (h)(7)(A), and (h)(7)(B).

6 Dated this 21st day of July, 2020.

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9 JAMES L. ROBART
10 UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorney(s) of record for the defendant(s).

/s/ Marwa Hirmendi
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